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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE MEGAN LATHAM

PUBLIC HEARING

OPERATION RICCO

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TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON FRIDAY 11 MARCH 2016

AT 4.58PM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes, Mr Goodman. Mr Overall, I take it that Mr Goodman is aware of the effect of a section 38 order.

MR OVERALL: He is indeed, Your Honour.

THE COMMISSIONER: All right. He wants to take advantage of that?

MR OVERALL: Yes, Commissioner.

10 THE COMMISSIONER: Yes. Mr Goodman, you need to understand that the section 38 order protects you from the use of your answers against you in any future civil or criminal proceedings. It does not protect you if it should be found you have given false or misleading evidence to the Commission because if that is the case your answers can be used against you in a prosecution under the ICAC Act. Do you understand that?

MR GOODMAN? Yes.

20 THE COMMISSIONER: Pursuant to section 38 of the Independent Commission Against Corruption Act, I declare that all answers given by this witness and all documents and things produced by this witness during the course of the witness's evidence at this public inquiry are to be regarded as having been given or produced on objection and there is no need for the witness to make objection in respect of any particular answer given or document or thing produced.

30 **PURSUANT TO SECTION 38 OF THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, I DECLARE THAT ALL ANSWERS GIVEN BY THIS WITNESS AND ALL DOCUMENTS AND THINGS PRODUCED BY THIS WITNESS DURING THE COURSE OF THE WITNESS'S EVIDENCE AT THIS PUBLIC INQUIRY ARE TO BE REGARDED AS HAVING BEEN GIVEN OR PRODUCED ON OBJECTION AND THERE IS NO NEED FOR THE WITNESS TO MAKE OBJECTION IN RESPECT OF ANY PARTICULAR ANSWER GIVEN OR DOCUMENT OR THING PRODUCED**

40 THE COMMISSIONER: Yes. Do you want to be sworn or affirmed, Mr Goodman?

MR GOODMAN: Sworn, thanks.

THE COMMISSIONER: Yes. Can we have the witness sworn please.

THE COMMISSIONER: Yes, Mr Thangaraj.

MR THANGARAJ: Mr Goodman, I want to start with Ms Lorraine Cullinane. How long have you known her for?---About 35 years.

10 And did you have a relationship with her - - -?---Yes.

- - - where the two of you were a couple?---Yes.

And how long did that go for?---10 years.

And from about – that was before the time you started at Botany Council?
---Yes.

For about how long until that ended?---About seven years I'd say.

20 All right?---Off memory.

So there was a very significant period of time during your tenure at Botany Bay Council where she was the Deputy Manager and you were in a relationship?---Yes.

Did you have a business together at one point?---Yes.

Was that in videos?---Yes.

30 And you had a number of outlets across time, different places in Sydney?
---Yes.

You worked closely together in various ways at Botany Council?---Yes.

And the relationship that you had put some things into perspective that I'll come to?---Okay. Yes.

Do you agree with that?---Yes.

40 Including misconduct?---Yes.

You had a very strong relationship with her?---Yes.

A sense of – mutual sense of loyalty?---Yes.

All right. Now her house, who was she living with mid-2000?---I'm not sure when her dad passed away but it was her mum and her dad and then her and her mum.

All right. There was a time when just her and her mother lived together?
---Yes.

She was concerned about security. Someone had tried to break into the house?---Yes.

You were concerned were you about her security situation?---Absolutely.

10 And at this time there were people involved in – contractors involved at Council who amongst other things did security work and camera work?
---Yes.

Did you ask them to do something in relation to her house?--- Yes.

What was that?---Install a security and camera system.

20 All right. And were they quality hardware or top of the range?---Top of the range.

And did they do that work?---Yes.

How often did you go out there to monitor that work?---Whilst they were doing it if I remember correctly every day.

And the work was completed?---Yes.

How many cameras roughly?---Seven.

30 And one of them was a movable camera?---Yes, one of those eyeball ones that moves around.

All right. Total value of work approximately?---Around the 50,000.

50,000. Who paid for that?---Council.

And that was done through false invoicing?---I believe so. I never saw an original invoice for it so - - -

40 Did someone above you approve that to be done?---Yes.

Who?---Peter Fitzgerald Senior.

What was his role at that time?---General Manager.

And do you agree that notwithstanding any so-called approval that he gave, the General Manager was not entitle to authorise that sort of money being spent on the private home of an employee?---No.

You agree with that?---Yes.

All right. Did she contribute any money to that bill?---Not that I'm aware of.

Did you tell her that anyone – that it was being done for free?---I'd say I would have. No, I would have. I would have.

10 What I mean by that is that were you saying that no one ever had to be paid for that work?---Oh, no, no, no.

Yeah?---Council were going to pay for it.

All right. And you told her that?---Yes.

And there was no suggestion that you were able to pay for that out of your own pocket?---No chance.

20 And you didn't pay for it out of your own pocket?---No.

All right. Is this the, is this an accurate summary of what's happened there over the last 20 years, there were certain people in authority that if they said something happened and people either did it or didn't question it and that included Peter Fitzgerald Senior and yourself?---True.

Okay. The next topic I want to ask you about is a car. Was a car bought for the Deputy General Manager, a Lexus bought for the Deputy General Manager?---Yes.

30 Do you remember the model type?---IS250.

Colour?---Black.

And whose name was it bought in?---Lorraine Cullinane.

Who paid for it?---Council.

40 Who authorised it?---General Manager.

And do you know how long she kept that car for?---As far as I'm aware I think she's still got it.

What was it worth?---In the order of new \$60,000.

And did she contribute a dollar to that?---No.

Was she entitled to have that car?---(No Audible Reply)

She already had a car didn't she?---Yes.

From Council?---Yes.

She was not entitled to the Lexus?---No.

Which GM authorised it?---Peter Fitzgerald Senior.

10 Do you have any reason – do you have any understanding as to why he authorised or allowed that to happen?---If my memory is right, I think at the time her mum, Lorraine's mum was pretty sick and Lorraine had a, off memory a Prado and her mum couldn't get into it. That was one of the rationales for buying it I think. That's - - -

Well - - -?---I can't be 100 per cent on that.

All right. Well, I asked you – I've asked you about this precisely very recently. Do you agree that part of the belief you had was that it was a
20 thank you for the benefits that were being bestowed on Mr Fitzgerald Senior by people including yourself and her?---Yes.

And do you remember what year that was?---It would have been I'd say two, two years before Peter retired I would say.

So that's about 2007 is it?---Yes, something like that.

All right?---I can't be sure of that. It's just an estimate.

30 All right. And who instigated this being bought out of Council funds, whose idea was it to get the Lexus?---I can't be sure but I'd say Peter.

Okay. Okay. He retired in 2011 so maybe it was a bit later than that?---Yeah, it could have been, yeah.

All right?---It was I think a couple of years before he retired.

All right. I want to ask you about superannuation allowance for Ms Cullinane. She was not on the most lucrative retirement scheme. Is that
40 right?---No, she was on the, on the retirement scheme and not the defined – sorry, she was on the defined benefits scheme and not the retirement scheme.

Was she on the defined benefits scheme or did she miss out on that?
---Whichever was the early one she missed out on.

All right. Which meant that - - -?---Maybe I'm getting the two confused.

And that meant that – what happened was that it meant she was on a lower scheme than people who had been in it for longer?---Absolutely.

And did you do something about that?---Yeah, there was – I think Lorraine negotiated with the General Manager to - - -

Who was at that time?---Peter Fitzgerald or, sorry - - -

Yeah?---Yeah, Peter Fitzgerald.

10

Yes?---I'm just trying to think whether he was – it may be just when he moved to General Manager because Lorraine replaced him as Deputy.

All right?---To have her superannuation – because the General Manager or Deputy didn't put up a report to Council she missed out on going into that lucrative scheme through no fault of her own.

All right?---That's what I was told.

20

Just pausing there?---Yeah.

You tried to get her into that scheme legitimately?---Yes.

They would not accept her?---No.

So she was not in the scheme going forward?---That's true.

30

Right. And then was some – something done to get her some more money? ---Yes. An agreement was reached that she would be paid the same superannuation as a former employee called John Maree who was in the old scheme.

Yeah?---And on roughly the same sort of money.

And depending on who you pegged it to it would determine how much. Is that right?---Yes.

40

So if it was pegged against that person it would be lower than if it was pegged against the General Manager's package?---Absolutely. Yes.

All right. So it was done on that basis because that was an equivalent person?---Close to equivalent salary.

As close as possible?---It was only really the formula not the salary that, that made the difference.

All right. But to have used the General Manager's equivalent as an example would have been beneficial to her?---Yes.

Improperly beneficial to her?---Yes.

All right. Okay. And then you worked out what she was missing out on per year?---Yes.

And what did you work that figure out to be?---Somewhere - - -

10 Roughly?---Depending on salary, and this varied over the years obviously depending on salary increases, starting out about 38 to \$40,000 a year up to a high of about 45, \$47,000 per annum.

All right. And did you start paying her that amount?---Yes.

And for how long?---It would have had to have been for just about all her time there.

So about 20 years?---Yeah.

20 Okay?---I haven't got the records in front of me but it'd be - - -

No, but - - -?--- - - - something like that.

Yeah. So this is the position, she failed to qualify for a scheme and you and Mr Fitzgerald decided that you would pay her what you said was the balance?---I think Mr Fitzgerald.

Okay. Mr Fitzgerald decided to pay her the balance?---Yes.

30 And that's what happened. How did you actually pay her that money?---It was either by cheque or by cash or by direct deposit.

And the records to – how were those entries recorded in the Botany Bay system?---I think they were, initially I think they were just paid through creditors on Lorraine's creditors, I think. The last couple I charged to our superannuation account and got into all sorts of trouble for doing that because it threw our super out of balance. But I think basically to her, to a creditors account.

40 And can you draw a cash cheque against that, can you?---Yes.

All right. And was this a superannuation payment or was it income?---Dual answer to that one. If it was paid into, in my opinion, if it was paid into an approved superannuation fund it could be treated as superannuation. If it was paid into a bank account or given in cash it would be income.

Right. And it was not paid into a super fund?---No.

It was paid into her account?---That's right.

Which means even though it was designed, you say, to replace superannuation which she in fact didn't qualify for, it was still income then, wasn't it?---Yes.

Which means it should've gone through payroll?---Yes.

10 Which means Council should've withheld tax?---Yes.

None of that happened?---No.

It didn't happen for 20 years or so?---No.

At about an average of low 40,000 per year?---High 30s to low 40s.

20 Right. Which means that if she's made, if she's received about 800,000 the tax that she has not had to pay would be a couple of hundred thousand at least?---I don't know.

All right?---I'll accept your word on that one.

All right.

THE COMMISSIONER: In any event it didn't come through the payroll system, it came from the Council's general account, did it?---General revenue.

30 Right.

MR THANGARAJ: And why – if this was a legitimate agreement to give her a legitimate extra income for a legitimate reason of – there was a belief that she was entitled to be in the superannuation scheme and therefore it was all above board. Why did it not just go through payroll as her salary did?---I would say that she would've been taxed on it.

So it was done - - -?---Probably over 50 per cent.

40 So it was done to avoid tax?---Yes.

MS MCNAUGHTON: Well I object. You said "I would say"?

MR THANGARAJ: All right.

THE COMMISSIONER: Yes. Well that's something for clarification. I mean we can only accept what this opinion – what this witnesses opinion is. It may not be worth much but we'll there in the end.

MR THANGARAJ: Did you authorise it – who decided for it not to go through payroll?---It probably would've been me.

Right. And can you remember – we know that the effect of it not going through payroll is tax is not paid?---Yeah.

Can you remember why you did not put it through payroll?---I think, and this is just as I'm going, we're talking 20 years ago when this started.

10 Well you say that but you also did it last year and the year before and the year before that?---Yeah. But I've just followed the same formula all the way through. Probably to avoid tax.

At the time that you first were doing this, for the first few years at least that you were paying her this money in this manner, you were in a relationship with her?---Yes.

Now at some point did Council pay tax on some of these payments?---Yes.

20 What happened?---I was looking at it and I think we were behind two years off memory. I hadn't paid it for a couple of years. I did try and encourage Lorraine to join a superannuation fund. And I brought the Local Government Super Board out to see her and that proved unsuccessful. So I paid it and I had a discussion with her and rather than her have to pay tax I paid through FBT, Fringe Benefits Tax, which means tax was paid.

But tax was paid on behalf of who?---Her.

30 So did the ATO receive money sent to it on the basis that it was tax owed by her?---Yes.

Nothing to do with Council tax owing?---There was no name attached to it but I think if - - -

Sorry, no name attached to what?---No, no name attached to the money that was paid. Didn't say tax for Lorraine Cullinane, it was just an amount of money and I think it was high 80s, low \$90,000 for two years and it was paid as FBT which meant that if she ever questioned on it she could say, the tax was paid here.

40 Right. But it was paid - - -?---By the Council.

Paid to the Australian Taxation Office. When you send money to the Tax Office they need to know what that is for. What did you tell them it was for?---Other income. And it wasn't done through the, through the tax system, it was done through the Fringe Benefits Tax system.

All right. But they - - -?---Which is slightly different.

They received the money on her behalf?---Absolutely.

All right. And how was it entered in the books at Botany?---Just as an FBT payment.

Generically?---Yes, generically.

All right. So - - -

10

THE COMMISSIONER: Sorry, I just want to clarify this. When you agreed with the question it was paid on her behalf, I thought you said there was nothing that went with the payment that identified the name Cullinane? ---No, it didn't. It just said other, other.

Other. Right?---Other.

So as far as - - -?---It didn't say this is tax for Lorraine Cullinane.

20 MR THANGARAJ: I think you meant no name at Council?

THE COMMISSIONER: Yes?---Yes.

So as far as the Tax Office knew this was FBT being paid by Botany Bay Council?---That's right.

Right.

30 MR THANGARAJ: And it was a tax liability that the Council in fact did not have?---True.

So the Council ended up paying her tax, is that what you did?---Yes.

Now Ms Cullinane very recently we heard provided a cheque to Barry Byrnes for that sort of money around 87, \$90,000, do you have any understanding as to what, if that was done - - -?---None whatsoever.

- - - why that was?---None whatsoever.

40 Did you pay the tax because Ms Kirchner was starting to make inquires and was concerned about this?---No. I'd thought about it, probably mistakenly, that the Council could be liable for an offense for paying money without paying tax on it. And I think I discussed this with Lorraine.

Did you tell Ms Cullinane that Council had paid tax on her behalf?---Yes.

Did she respond?---I can't remember. It would've been in the affirmative if she did.

THE COMMISSIONER: Did she not belong to any super fund at all?---
Yes. She was in the later one which meant the Council just paid nine per cent or nine and a half per cent of your wages in.

So all the time she was employed at Botany she was in the Local Government Super Scheme?---That's right, yes.

10 And so she was contributing her employee contribution and Council was contributing their employer contribution?---No. There was no, there was no, there was no employee contribution just employer.

Right. So she wasn't contributing to that fund?---That's right, yes.

But Council was?---Yes, that's right.

Right.

20 MR THANGARAJ: The fact that you were giving her this benefit improperly over a lengthy period of time, could've caused, could've had the effect of buying a loyalty of an individual, couldn't it?---It could.

And it could've influenced any person who was improper beneficiary of such payments, it might've affected the way they did their job with you?---It could.

Did you speak to the auditors – did this ever arise with the external auditors, this issue?---Yes.

30 And they gave it a tick?---Yes.

And the reason they gave it a tick was because you left out the critical information which would've turned it into a cross?---Not being paid into a super fund?

Yes?---Yes.

They understood it was a super payment?---That's right.

40 And they therefore understood from what you had told them that it was legitimate super payment going into a fund as opposed to going into a bank account?---True.

And therefore you lied to the auditors on behalf of Ms Cullinane, effectively, her interests?---Effectively, effectively, yes.

All right. I want to move on, given the time I want to move on to some issues with respect to Mr Fitzgerald Senior. And every time I say Mr Fitzgerald I want you to understand I'm talking about Fitzgerald Senior?
---Yes.

Now was there a superannuation alike, or was there a superannuation arrangement with Mr Fitzgerald?--- Yes.

For him?---Yes.

10

What was that?---There was a superannuation much the same as Lorraine's, same formula but based on his salary.

So he had also missed out on a lucrative scheme, had he?---I don't know, I don't know that.

All right?---I don't know.

20

So it was just a top-up?---Yes. It was actually two payments.

And what were they?---There was a supplementary superannuation contribution and this other contribution which we're talking about.

And were either of them paid into a super fund?---I can't answer that. I don't know.

Who received the – how – did he just – how did he receive the payment?
---Most of the time by cheque and once or twice by cash.

30

So you don't know whether it went into a super fund or not?---No, I don't know.

And did Council withhold tax on any of that?---No.

One of them was about \$12,000 a year, was it?---One was – the 12,000 I think was a travelling allowance.

Right?---There was a 12, a 20 and the super.

40

And what was the payment of the final amount that you were talking about per year, calculation based on the formula?---Upwards of around between 68 to \$75,000 a year.

And that went on for about 20 years?---Yes.

Was there one occasion in which you paid that amount of money for the year by cash?---Yes.

And where did you go to get the cash?---Commonwealth Bank in the city I think.

Did you need to take a second person for authorisation purposes, that is with the bank?---Yes.

And who did you take?---Barry Byrnes.

10 And what did you do with the 70,000 cash?---When we arrived back at work I actually rang Lorraine and showed it to her, I'd never seen that much money in my life, and then took it round to the General Manager.

All right.

THE COMMISSIONER: So this was, this was the lump sum that was supposed to represent these top-up super payments?---Yes.

And this happened every year, did it, on an annual basis?---Yes.

20 Right.

MR THANGARAJ: And do you know how it was entered in the Botany Bay system?---I assumed it would have, no, it should have been done and would have been done as, as a supplementary superannuation payment, should have been the heading.

All right. But so therefore it didn't have to go through payroll?---No.

30 If it was, if it was in fact going into a superannuation fund it shouldn't have been going via the beneficiary, should it?---No.

And unless it all went into a super fund, the beneficiary was getting improper early access?---Yes.

And then whatever taxation implications might have arisen?---Yes.

40 All right. You've told us about Ms Cullinane's house having some camera security work installed, did that happen with Mr Fitzgerald's, a property that Mr Fitzgerald had?---Sorry?

Were there cameras installed by Council contractors at a property that Mr Fitzgerald owned?---I believe there were.

You believe or do you know?---Okay, I know, but I wasn't involved in the, in the planning, the installation or the payment, but - - -

All right?--- - - - I know, I know the contractors were down at a property he owned.

And where was the property?---In the north coast.

And do you remember roughly when that was?---I think it might have been after Lorraine's were installed, I'm not 100 percent on the, on the breakdown.

All right?---As I said, I wasn't involved in that so I don't know how it came about or maybe I was, I just can't remember.

10

All right. Now, you appreciate I'm going through this faster than I would have - - -?---Yeah.

- - - because of the time and to get through a minimum amount of information for the benefit of others, but what, what does the company name Bloggs Consulting mean to you?---I believed it was a firm or a, or a person that did consulting work for the General Manager.

20 And was that company used in some improper way, the name of that company or details of that company?---It sounds strange.

Well, aside from how it sounds, was that used as a vehicle at Council by you?---Not by me.

All right. By who?---Well, the payments went to the then General Manager.

All right. So invoices were prepared and put through the system in the name of Bloggs Consulting?---Sometimes no invoices.

30 I beg your pardon?---Sometimes no invoices.

Okay, sometimes, okay. So payments were made to Bloggs, purportedly to Bloggs Consulting either through an invoice or otherwise?---That's correct.

And they were very regular payments?---Every month.

And went on for about 10 years?---Yes.

40 And how did you give Mr – who did you give money purportedly for Bloggs Consulting to?---Ah, Mr Fitzgerald.

And in what form?---Cash.

How much per month?---Two cheques for 4,200 each which were cash.

Cash cheques?---Mmm, we cashed the cheques.

So \$8,000 a month in cash or cash cheques to Mr Fitzgerald for 10 years?

---True.

And as far as you knew, none of – there was no legitimate work done for those invoices?---I, I, that I don't know, that I don't know.

None that you know of?---No, none that I know of.

10 And you haven't seen, and you never saw any product of any of that consulting work?---I did one, on one occasion meet someone purported to be a Mr Bloggs.

All right. You were introduced to a Mr Bloggs by Mr Fitzgerald?
---Yes.

Did Mr Fitzgerald – you've told us about a couple of things facilitated for him, did he give you some other material to help with that if you ever needed it?---You'll have to explain that one.

20 Did he give you blank invoices?---Yes.

And what did he say to do with those?---If you need one you can fill it out.

And what might you need it for?---To justify a payment.

All right. Did Mr Fitzgerald improperly have a car, get a car, or get a car cheaper than he otherwise might have done?---Yes.

Okay. Tell us about that?---When Mr Fitzgerald retired.

30 What happened?---He asked me to get a valuation on my car which was the same as his but mine was a wreck and very old, Council car that is, and I believe that that's the price he applied to the car that he was buying off the council, which was the same but obviously a much nicer one.

And how much did – what was the difference in the valuation, that is how much did he save?---I would estimate the order of \$30,000, maybe a bit more.

40 All right. And was, did Mr – was a Lexus bought for Marny Baccam?
---Yes.

Again whether or not she had another Council car, she certainly was not entitled to have a Lexus bought with Council funds?---No.

You agree with that?---Yes.

All right. How did that happen?---Received a phone call from Mr Fitzgerald, and I can't remember the name of the auction place, to come

down to this auction house and bring Marny with me. I rang her and I said I don't know what's going on. We went down there and Peter walked her through all the cars that were there and told her to pick one.

What did she do?---He was – I think at the time he was looking for a car for his son.

Right. And what did she do?---Picked out a silver Lexus.

10 Right. And how was that paid for?---Council funds.

Right. And how were the Council funds sourced, was it just out of revenue?---Yep.

And who paid for that?---I authorised the payment.

Right. And how long did she keep that car for?---Probably I'd say – and she did use it for work – I'd say at a guess four years.

20 Sorry, just pausing there, whether she used it for work or not - - -?
---Immaterial, I understand.

Right. Okay. How long did she have the car for?---I'd say about four years at an estimate.

Right. And was it sold, was it?---Yes.

And she kept - - -?---Mr Fitzgerald instructed me to sell it.

30 And who kept the proceeds of the sale?---Proceeds went to Council.

So the car was sold. So was the car bought in Council's name?---Yes.

Okay. All right. And did Mr - - -?---I think, I'd better clarify that, I'm not – now you say it, I think, I think it was bought in Council name.

All right?---I think it was, because I know we got the proceeds from the sale.

40 All right. So what then was done, assuming it was bought in Council's name, was, Council paid for a car it didn't have to pay for and an employee had the benefit of it for a number of years?---That's true.

All right. All right. Now finally for tonight I just want to ask you about credit cards?---Yes.

Did Mr Fitzgerald have a corporate credit card?---Yes.

Or multiple corporate credit cards?---Multiple.

Do you remember what they were?---I believe two MasterCards and one Diners Club.

And was this during or after his period as General Manager?---During.

And was there some unusually high level of expenditure?---Yes.

10 And what sort of, what are we talking about?---Upwards of I'd say 400,000 per annum.

All right. And how many years did that go on for?---Multiple, I don't know.

Who approved that money to be paid?---I did.

Why?---I was given the bill so I just paid it. There was no, no questions about it.

20 THE COMMISSIONER: Is this across all cards, it's a total, is it of 400,000 per annum?---Yeah. Something like that, yeah.

MR THANGARAJ: Was there a GPO Box in Sydney being used?---Yes.

And why was that?---Any information that people didn't want to go through the, the Council staff.

And who emptied that box?---Peter's secretary, I went there a couple of times. I can't remember who else.

30 Right?---I think at one stage we might've had that mail put in an envelope and diverted to, to us at the Council offices.

If that's a convenient time I'll stop there for tonight, Commissioner?

THE COMMISSIONER: All right. Mr Goodman, how do you propose to return here on Monday morning - - -?---I should be - - -

40 - - - bearing in mind that we have to catch up some considerable time and I was proposing to start sitting at 9.00am on Monday?---I can get here.

Yes, I know you can but how are you proposing to get here?---Taxi.

Is there any reason why you didn't take a taxi this afternoon?---I was that rushed I had to find a driver and - - -

Well that's what you do when you pick up the phone and order a taxi?---And the roads around where I live were blocked.

All right?--- - - - and (not transcribable) was closed so - - -

Well can I make a suggestion that some time on the weekend you actually book a taxi for 8.00am on Monday morning to make sure that you're here at 9.00am sharp?---I will.

If there is any difficulty at all with you fulfilling that obligation, I want you to notify your legal representatives immediately?---I'll be here.

10

All right. But I'm just telling you what your obligations are. So that if your legal representatives are informed of what the problem is they can let us know immediately what the problem is. Do you understand?---Yes.

All right?---Apologise for that today.

20

All right. Thank you. Can I just apologise to the other members of the legal profession for the lateness of the hour. However, you will appreciate that it was necessary to inform a number of legal representatives of the substance of allegations that will be made before those witnesses will be called next week. So as I said, we'll be sitting extended hours next week and we'll adjourn and resume at 9.00am - - -

MR THANGARAJ: Just before we do that.

THE COMMISSIONER: Yes.

30

MR THANGARAJ: Can I just, rather than allocate days or witnesses, we want to give people a running order so I don't know how long things are going to take but - - -

THE COMMISSIONER: If you can do that, that would help.

MR THANGARAJ: Mr Goodman first. We will interpose Ms Marshall on Tuesday morning so we can get her in and out. After Mr Goodman, Ms Cullinane and then Mr Fitzgerald Senior, and we'll just see what happens after that.

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THE COMMISSIONER: All right. There may be – we'll have to make this assessment as we go, but we may conclude the inquiry for present purposes on Thursday afternoon because we can't sit on Friday of next week. And simply reserve the corruption prevention witnesses to some further date. So I'll say 9.00am Monday, thank you.

THE WITNESS STOOD DOWN

[5.34pm]

AT 5.34PM THE MATTER WAS ADJOURNED ACCORDINGLY

[5.34PM]